

JOURNAL OF THE HOUSE.

Monday, November 23, 2015.

Met according to adjournment at eleven o'clock A.M., in an Informal Session, with Mr. Donato of Medford in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

Pledge of allegiance.

At the request of the Chair (Mr. Donato), the members, guests and employees joined with him in reciting the pledge of allegiance to the flag.

Silent Prayer.

Ezra Schwartz.

At the request of Mr. Kafka of Stoughton the members, guests and employees stood in a moment of silent tribute to the memory of Ezra Schwartz of Sharon. Ezra was killed Thursday, November 19th, during a terrorist attack in Gush Etzion in the West Bank, while delivering food to Israeli soldiers. A Sharon native, Ezra was a 2015 graduate of the Maimonedes Day School in Brookline. He was spending a gap year studying at Yeshivat Ashreinu in Beit Shemesh, Israel. Ezra is survived by his parents, four siblings, and extended family.

Resolutions.

The following resolutions (filed with the Clerk) were referred, under Rule 85, to the committee on Rules:

Small Business Saturday.

Resolutions (filed by Ms. Ferrante of Gloucester and other members of the House) commending the Retailers Association of Massachusetts, Inc. on the occasion of Small Business Saturday;

Antonio Santana III.

Resolutions (filed by Mr. McMurtry of Dedham) congratulating Antonio Ceferino Santana III on receiving the Eagle Award of the Boy Scouts of America;

Small business contributions.

Resolutions (filed by Mrs. O'Connell of Taunton and other members of the House) commending the vital contribution of small business to local communities and the Commonwealth; and

Terrence Cunningham.

Resolutions (filed by Ms. Peisch of Wellesley) honoring Chief Terrence M. Cunningham on his installation as President of the International Association of Chiefs of Police;

Mr. Galvin of Canton, for the committee on Rules, reported, in each instance, that the resolutions ought to be adopted. Under suspension of the rules, in each instance, on motion of Mr. Speliotis of Danvers, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Communication.

Department of Children and Families.

A communication from the Office of the Child Advocate (see Item 0411-1005 contained in Section 2 and Section 219 of Chapter 165 of the Acts of 2014) submitting the Management Review of the Department of Children and Families for the fiscal year 2015, was placed on file.

Petitions.

Petitions severally were presented and referred as follows:

By Mr. DiNatale of Fitchburg, a petition (accompanied by bill, House, No. 3864) of Stephen L. DiNatale and Jennifer L. Flanagan (with the approval of the mayor and city council) that the city of Fitchburg be authorized to use the new image cast vote tabulators at the special state primary to fill the vacancy in the office of state representative. To the committee on Election Laws. Fitchburg,—
voting.

By Mr. Berthiaume of Spencer, a petition (accompanied by bill, House, No. 3865) of Donald R. Berthiaume, Jr. (by vote of the town) that the town of Hardwick be authorized to appoint a superintendent of streets for said town; Hardwick,—
street
superintendent.

By Representative Rosa of Leominster and Senator Flanagan, a joint petition (accompanied by bill, House, No. 3866) of Dennis A. Rosa and Jennifer L. Flanagan (with the approval of the mayor and city council) that the city of Leominster be authorized to pay a certain unpaid bill; Leominster,—
unpaid
bill.

Severally to the committee on Municipalities and Regional Government.

By Ms. Decker of Cambridge, a petition (accompanied by bill, House, No. 3867) of Marjorie C. Decker and others (with the approval of the city council) relative to the tax status of certain land owned by a housing authority within the city of Cambridge. To the committee on Revenue. Cambridge,—
housing
authority.

By Representative Walsh of Framingham and Senator Spilka, a joint petition (accompanied by bill, House, No. 3868) of Chris Walsh, Karen Spilka and others (by vote of the town) that the town of Framingham be authorized to assess fines for failure to relocate or remove utility poles and wires. To the committee on Telecommunications, Utilities, and Energy. Framingham,—
utilities.

Severally sent to the Senate for concurrence.

Mr. Smola of Warren presented a petition (subject to Joint Rule 12) of Todd M. Smola for legislation to establish a sick leave bank for Lisa Hershowitz, an employee of the Department of Developmental Services; and the same was referred, under Rule 24, to the committee on Rules. Lisa
Hershowitz,—
sick leave.

Papers from the Senate.

Senate bills

To promote quality physical education (Senate, No. 2061) (on Senate bill No. 2047); Physical
education.

Relative to healthy youth (Senate, No. 2062) (on Senate bill No. 2048); Sex
education.

Relative to social media privacy protection (Senate, No. 2063) (on Senate bill No. 2054); and Students,—
social media.

Regulating notaries public to protect consumers and the validity and effectiveness of recorded instruments (Senate, No. 2064) (on Senate bill No. 757); Notaries
public,—
regulate.

Severally passed to be engrossed by the Senate were read; and they were referred, under Rule 33, to the committee on Ways and Means.

Reports of Committees.

By Mr. Galvin of Canton, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the following petitions:

Alimatu Lamptey,—
sick leave.

Petition (accompanied by bill) of Daniel M. Donahue for legislation to establish a sick leave bank for Alimatu Lamptey, an employee of the Department of Mental Health; and

Nicole Medina,—
sick leave.

Petition (accompanied by bill) of Angelo M. Scaccia for legislation to establish a sick leave bank for Nicole Medina, an employee of the Department of Public Health.

Severally to the committee on Public Service.

Under suspension of the rules, on motion of Mr. Nangle of Lowell, the reports were considered forthwith. Joint Rule 12 then was suspended, in each instance. Severally sent to the Senate for concurrence.

By Mr. Nangle of Lowell, for the committee on Steering, Policy and Scheduling, that the following bills be scheduled for consideration by the House:

Dalton,—
liquor license.

Senate bills

Authorizing the town of Dalton to grant an additional license for the sale of all alcoholic beverages not to be drunk on the premises (Senate, No. 1927, amended) [Local Approval Received]; and

Middlefield,—
Thomas Austin.

Authorizing the town of Middlefield to continue the employment of police chief Thomas Austin (Senate, No. 1941) [Local Approval Received]; and

House bills

Good sleeping practices.

Relative to sleep deprivation avoidance and promotion of good sleeping practices (House, No. 2805); and

Boston cream pie cupcake.

Designating the Boston cream pie cupcake as the official cupcake of the Commonwealth (House, No. 3366);

Under suspension of Rule 7A, in each instance, on motion of the same member, the bills severally were read a second time forthwith; and they were ordered to a third reading.

Orders of the Day.

State workforce development board.

The still further amendment of the House Bill establishing a State workforce development board (House, No. 3772, amended), reported by the committee on Bills in the Third Reading to be correctly drawn, was adopted, in concurrence.

House bills

Third reading bills.

Exempting Albert P. Manzi, III from the maximum age requirement for applying for civil service appointment as a police officer in the town of North Andover (House, No. 2272); and

Establishing a sick leave bank for Jamie Johnson, an employee of the Department of Mental Health (House, No. 3843);

Severally reported by the committee on Bills in the Third Reading to be correctly drawn, were read a third time; and they were passed to be engrossed. Severally sent to the Senate for concurrence.

Emergency Measure.

The engrossed Bill establishing a State workforce development board (see House, No. 3772, amended), having been certified by the Clerk to be rightly and truly prepared for final passage, was considered, the question being on adopting the emergency preamble. State workforce development board.

A separate vote was taken, as required by the provisions of Article XLVIII (as amended by Article LXVII) of the Amendments to the Constitution; and the preamble was adopted, by a vote of 3 to 0. Sent to the Senate for concurrence.

Subsequently, the Senate having concurred in adoption of the emergency preamble, the bill (which originated in the House) was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate. Bill enacted.

Engrossed Bills.

Engrossed bills

Exempting from the civil service law the positions of patrolman, sergeant and lieutenant in the police department of the town of Maynard (see House, No. 3331, amended); and Bills enacted.

Designating a certain bridge in the town of Hudson as the Captain Seth R. Michaud Memorial Bridge (see House, No. 3592);

(Which severally originated in the House);

Severally having been certified by the Clerk to be rightly and truly prepared for final passage, were passed to be enacted; and they were signed by the acting Speaker and sent to the Senate.

Order.

On motion of Mr. DeLeo of Winthrop,—

Ordered, That when the House adjourns today, it adjourn to meet Wednesday next at eleven o'clock A.M. Next sitting.

At twelve o'clock noon, on motion of Mr. Smola of Warren (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following Wednesday at eleven o'clock A.M., in an Informal Session.